

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

SHIV PATEL and JAMIE POSNER, on
behalf of themselves and other individuals
similarly situated,

Plaintiffs,

v.

ST. JOHN'S UNIVERSITY,

Defendant.

Case No. 20-cv-2114-LDH-CLP

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the documents previously submitted and filed via ECF including Docket No. 48 and 49, and all exhibits attached thereto, and in accordance with the Pre-Motion Conference held on Sept. 22, 2022 via telephonic means, the undersigned will respectfully move this Court, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York, 11201, before the Honorable Judge LaShann DeArcy Hall, U.S.D.J. as soon as counsel for Plaintiffs may be heard, for an Order seeking: (i) remand this action and the consolidated case *Gallagher v. St. John's University*, 1:20c-v-03274-LDH-CLP, to New York Supreme Court, Nassau County pursuant to Federal Rule of Civil Procedure 28 U.S.C. § 1332(d)(4)(A), (ii) along with such other and further relief as this Court deems just and proper.

Dated: September 23, 2022

Respectfully submitted,

By: 

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CC: All Counsel of Record (via ECF)